

SENATE BILL 712

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2004 Regular Session
4r1576
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By: **Senator Middleton**

Introduced and read first time: February 6, 2004

Assigned to: Budget and Taxation

A BILL ENTITLED

1 AN ACT concerning

2 **Motor Homes and Travel Trailers - Vehicle Excise Tax - Definitions - Repeal**
3 **of Sunset**

4 FOR the purpose of repealing the termination of certain provisions that alter the
5 definitions of "fair market value" and "total purchase price" for purposes of the
6 vehicle excise tax imposed on a motor home or a travel trailer to exclude from
7 the computation of the tax, subject to a certain limitation, the value of a motor
8 home or travel trailer traded as part of the consideration for the sale; repealing
9 the termination of certain provisions that provide that certain definitions do not
10 apply to the calculation of the vehicle excise tax imposed on a motor home or a
11 travel trailer until certain bonds are no longer outstanding and unpaid; and
12 generally relating to travel trailers and motor homes.

13 BY repealing and reenacting, without amendments,
14 Article - Transportation
15 Section 13-809(a)
16 Annotated Code of Maryland
17 (2002 Replacement Volume and 2003 Supplement)

18 BY repealing and reenacting, without amendments,
19 Chapter 361 of the Acts of the General Assembly of 2001
20 Section 3

21 BY repealing and reenacting, with amendments,
22 Chapter 361 of the Acts of the General Assembly of 2001
23 Section 5

24 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
25 MARYLAND, That the Laws of Maryland read as follows:

26 **Article - Transportation**

27 13-809.

28 (a) (1) In this section the following words have the meanings indicated.

1 (2) "Fair market value" means:

2 (i) Except as provided in item (iv) of this paragraph, as to the sale
3 of any new or used vehicle by a licensed dealer, the total purchase price, as certified
4 by the dealer;

5 (ii) As to a used vehicle that is sold by any person other than a
6 licensed dealer and that has a designated model year that is 7 years old or older, the
7 greater of:

8 1. The total purchase price; or

9 2. \$640;

10 (iii) As to any other used vehicle that is sold by any person other
11 than a licensed dealer:

12 1. The total purchase price, if the total purchase price is less
13 than \$500 below the retail value of the vehicle as shown in a national publication of
14 used car values adopted for use by the Department; or

15 2. If the total purchase price is \$500 or more below the retail
16 value of the vehicle as shown in a national publication of used car values adopted for
17 use by the Department:

18 A. The total purchase price, if verified to the satisfaction of
19 the Administration by a notarized bill of sale submitted in accordance with subsection
20 (d)(2) of this section; or

21 B. The valuation shown in the national publication of used
22 car values, if the Administration finds that the documentation submitted under
23 subsection (d)(2) of this section fails to verify the total purchase price;

24 (iv) As to the sale of any new or used motor home or travel trailer by
25 a licensed dealer, or a dealer licensed by another state or a foreign country, the total
26 purchase price, as defined in paragraph (4)(ii) of this subsection, as certified by the
27 dealer on a form acceptable to the Administration; and

28 (v) In any other case, the valuation shown in a national publication
29 of used car values adopted for use by the Department.

30 (3) "Motor home" has the meaning stated in § 11-134.3 of this article.

31 (4) "Total purchase price" means:

32 (i) Except as provided in item (ii) of this paragraph, the price of a
33 vehicle agreed on by the buyer and the seller, including any dealer processing charge,
34 with no allowance for trade-in or other nonmonetary consideration; and

35 (ii) In the case of a motor home or travel trailer, the price of the
36 motor home or travel trailer agreed on by the buyer and the seller less the value, not

1 to exceed the value shown in a national publication of used motor home and travel
2 trailer values adopted for use by the Department, of any motor home or travel trailer
3 that is traded in as part of the consideration of the sale.

4 (5) "Travel trailer" has the meaning stated in § 11-170 of this article.

5

Chapter 361 of the Acts of 2001

6 SECTION 3. AND BE IT FURTHER ENACTED, That, notwithstanding the
7 provisions of Section 1 of this Act, the modified definitions of "fair market value" and
8 "total purchase price" for the purposes of the calculation of the motor vehicle excise
9 tax imposed on a motor home or a travel trailer under § 13-809(a) of the
10 Transportation Article as enacted under Section 1 of this Act do not apply until any
11 Consolidated Transportation Bonds that were issued by the Department of
12 Transportation before July 1, 2001 no longer remain outstanding and unpaid;
13 provided however, that in any fiscal year for which funds are appropriated by the
14 General Assembly to pay the principal of and interest on the Department of
15 Transportation's Consolidated Transportation Bonds due and payable in that fiscal
16 year, the Motor Vehicle Administration shall collect the reduced motor vehicle excise
17 tax imposed on a motor home or travel trailer by utilizing the modified definitions as
18 enacted under Section 1 of this Act.

19 SECTION 5. AND BE IT FURTHER ENACTED, That this Act shall take effect
20 July 1, 2001. [Sections 1 and 3 of this Act shall remain effective for a period of 3 years
21 and, at the end of June 30, 2004, with no further action required by the General
22 Assembly, Sections 1 and 3 of this Act shall be abrogated and of no further force and
23 effect.]

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
25 June 1, 2004.